

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 23045 of 2006

Dated 6TH NOVEMBER, 2006

Between

P.Victor Praveen Kumar and anr

....Petitioners

and

Principal, Vignan Institute of Technology and Science,
Deshmukhi Village, Pochampally Mandal, Nalgonda Dist and anr.

...Respondents

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THE HON'BLE MR JUSTICE R.SUBHASH REDDY
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WRIT PETITION NO : 23045 of 2006

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ORDER:

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In this Writ Petition, the petitioners seek direction to accept their examination fee and permit them to appear for the second year first semester examinations.

It is submitted by the learned Counsel for the petitioners that as the petitioners have suffered with viral fever, they have not attended some classes. It is further submitted that the petitioners have put in less than 65% of attendance.

As per the academic regulations framed by the University,

minimum attendance of 75% is required to be eligible to writ the examinations and the Academic Committee has power to condone shortage of attendance in case of those students who have put in attendance of 65%. In this case, admittedly, the petitioners have attendance less than 65%.

In a similar matter, a Division Bench of this Court in the case of *M.Sunil Chakravarthy Vs. Principal Sreekalahasteeswara*^[1] has considered this aspect and held that no direction by way of Mandamus can be issued to condone the shortage of attendance, in case a candidate puts in less than 65% of attendance, which is prohibited by the regulations framed by the University itself. In that view of the matter, as it is not disputed that the petitioners have put in less than 65% attendance, I do not find any valid ground for issuance of directions as sought for. The learned Counsel submitted that the petitioners may be permitted to make a representation to the respondents. It is made clear that this order will not preclude the petitioners to make a representation and if such a representation is filed, it is open for the respondents to consider the same.

Subject to the above observation, the Writ Petition is dismissed.
No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 06-11-2006.

Msnr.

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[\[1\]](#) 2005(1)ALD 253 (DB)